

Remarks

Claims 1-10 are pending. By this Amendment, claims 1-9 are amended. Support for the amendments is found throughout the specification, claims and drawings. No new matter is involved.

The Office Action objects to the drawing for failing to show the reified device communicating with the responsive device. Applicants respectively traverse this objection based on the attached proposed amendments to drawing Figs. 1 and 2. The amended drawing figures show a wavy line indicating communication from the reified device to the computer. Support for this is found in paragraph [0032] of the specification as originally filed which indicates that communication can take place using, for example, wireless technologies. Thus, no new matter is involved.

The Office Action rejects claims 1-10 under 35 USC §112, second paragraph, as being indefinite. This rejection is respectfully traversed.

The basis of the rejection states that "[T]he specification fails to disclose how the reified device (or manipulatable device) communicates to or from the responsive device cited in claims 1-10."

Applicants do not understand this rejection. 35 USC §112, second paragraph, has nothing to do with disclosure issues. The rationale for the rejection simply does not support a rejection under 35 USC 112, second paragraph.

Nevertheless, in order to be fully responsive, Applicants will treat the rejection as if it were made under 35 USC §112, first paragraph, which concerns the adequacy of disclosure.

Applicants respectfully direct the Examiner's attention to paragraph [0034] which clearly explains how the reified device communicates with the computer. Paragraph [0034] clearly states that the "communication hardware can vary depending on whether the user wants the reified device 100 to (a) fit into a special receptacle on the base device 200, (b)

work when in contact with but not penetrating the base device 200, or (c) function when in proximity to the base device 200. In the first case, any standard "docking" configuration, such as a docking station, or a parallel or serial port can be employed. In the second case, magnetically activated contact switches can be employed. In the third case, where proximate communication between the reified device 100 and the base device 200 or between two reified devices 100 is desirable, a plurality of techniques can be used, including wireless technologies, such as radio, infrared, and/or ultrasonic. One example of a product that support radio frequency communication is the TXM-418-F transmitter and SILRX-418-A receiver from Radio-Tech Ltd. These devices are small, have low power consumption and have a range that can be adjusted from 1-100 meters. Serial RS232-style communication is used to interface with these modules up to 19.2 kb/s, making it easy to interface to a general purpose computer or to a small microcontroller that may be used in the reified device 100. Infrared can also be used for the wireless connection. In particular, in view of the IrDA standard most laptop computers now have a built-in IR port."

Applicants respectfully submit that this more than adequately explains to one of ordinary skill in the art how the reified device or manipulatable device communicates to or from the responsive device. Accordingly, this rejection of claims 1-10 should be withdrawn.

The Office Action rejects claims 1-10 under 35 USC §102(b) as anticipated by U.S. Patent No. 6,160,540 to Fishkin et al. (hereinafter, "Fishkin"). This rejection is respectfully traversed.

In the first place, Fishkin does not qualify as prior art under 35 USC §102(b), as alleged in the Office Action. This patent issued on December 12, 2000. This application was filed on August 21, 2001, which is less than one year from the patenting date of Fishkin.

As a result, Fishkin cannot possibly qualify as a reference under 35 USC §102(b) which requires, inter alia, that the invention was patented or described in a printed publication more than one year prior to the date of the application.

However, to be fully responsive, Applicants will consider this rejection as having been made under 35 USC §102(e).

Claims 1-10 clearly patentably define over Fishkin, which does not disclose that the user characteristic comprises the user's level of authority in general or, that of a system administrator, in particular, or that the user's characteristic comprises an asset of the user, in general, or the user's credit card number, in particular.

Accordingly, claims 1-10 are patentable over Fishkin.

The Office Action rejects claims 1-10 under 35 USC 102(b) as anticipated by U.S. Patent No. 5,855,483 to Collins et al. (hereinafter, "Collins"). This rejection is respectfully traversed.

In the first place, Collins does not transfer information about a user of a responsive object to the responsive object as recited in claims 1-4, and does not disclose a reified device as recited in claims 5-10. In this regard, Applicants define a reified device in paragraph [0007] as a device that is a reification or representation of the user of the device.

Collins is concerned with fantasy play where, for example, a child engages in make-believe play. The physically manipulatable device relied on in the rejection is a controller 40, operation of which is governed by a CPU 80. See, for example, the paragraph bridging columns 5 and 6, and the first full paragraph of column 6. No information about the child (user) is provided to the computer.

Collins has a number of playthings in Figs. 4 and 6-26 that simulate real-world objects - see columns 7, lines 17-32 - none of which is the user, or has a user characteristic.

In the second place, not only does Collins fail to disclose user characteristics, but also fails to disclose user characteristics such as, for example, the user's level of authority in general or an asset of the user.

Accordingly, claims 1-10 are not anticipated by Collins.

At least for the aforementioned reasons, the subject matter of claims 1-10 is patentable over both Fishkin and Collins. Therefore, the rejections should be withdrawn and claims 1-10 should be allowed.

Should the Examiner believe that anything further is desirable to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Robert J. Webster
Registration No. 46,472

JAO:RJW/sxb

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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